

TITLE 67
STATE GOVERNMENT AND STATE AFFAIRS

CHAPTER 5
ENACTMENT AND OPERATION OF LAWS

67-501. ENDORSEMENT OF BILLS. Every bill must, as soon as delivered to the governor, be endorsed as follows: "This bill was received by the governor this day of,"

[(67-501) R.S., sec. 150; am. R.C., sec. 63; reen. C.L., sec. 63; C.S., sec. 104; I.C.A., sec. 65-501; am. 2007, ch. 90, sec. 28, p. 266.]

67-502. APPROVAL OF BILLS. When the governor approves a bill he must set his name thereto, with the date of his approval.

[(67-502) R.S., sec. 151; reen. R.C. & C.L., sec. 64; C.S., sec. 105; I.C.A., sec. 65-502.]

67-503. PASSAGE OF BILLS OVER VETO -- AUTHENTICATION. When a bill has passed both houses of the legislature, and is returned by the governor without his signature and with objections thereto, and upon a reconsideration passes both houses by a two-thirds (2/3) vote, it must be authenticated as having become a law by a certificate indorsed thereon, or attached thereto, in the following form:

"This bill having been returned by the governor with his objections thereto, and after reconsideration having passed both houses, by a two-thirds vote, it has become a law this day of,, " which indorsement, signed by the president of the senate and speaker of the house, is a sufficient authentication thereof. Such bill must then be deposited with the laws, in the office of the secretary of state.

[(67-503) R.S., sec. 152; am. R.C., sec. 65; reen. C.L., sec. 65; C.S., sec. 106; I.C.A., sec. 65-503.]

67-504. RETURN OF BILL DURING ADJOURNMENT. If, on the day the governor desires to return a bill without his approval and with his objections thereto to the house in which it originated, that house has adjourned for the day (but not for the session), he may deliver the bill with his message to the presiding officer, clerk, or any member of such house, and such delivery is as effectual as though returned in open session, if the governor, on the first day the house is again in session, by message notifies it of such delivery, and of the time when, and the person to whom, such delivery was made.

[(67-504) R.S., sec. 153; reen. R.C. & C.L., sec. 66; C.S., sec. 107; I.C.A., sec. 65-504.]

67-505. BILLS NOT RETURNED. Every bill which has passed both houses of the legislature, and has not been returned by the governor within five (5) days, thereby becoming a law, is authenticated by the governor causing the fact to be certified thereon by the secretary of state in the following form: "This bill having remained with the governor five (5) days (Sundays excepted), and the legislature being in session, it has become a law this day of,, " which certificate must be signed by the secretary

of state and deposited with the laws in his office. Where the legislature by adjournment, prevents the return of a bill, the governor, if he disapproves thereof, shall file the same, with his objections, in the office of the secretary of state within ten (10) days after said adjournment (Sundays excepted) or the same shall become a law.

[(67-505) R.S., sec. 154; compiled and reen. R.C., sec. 67; reen. C.L., sec. 67; C.S., sec. 108; I.C.A., sec. 65-505; am. 2007, ch. 90, sec. 29, p. 266.]

67-506. DESIGNATION OF LAWS BY CHAPTERS. Each act of the legislature shall, on becoming a law, be designated as "Chapter of the Laws of," adding its chapter number and the year in which it becomes a law; and in respect to each session of the legislature, the laws enacted at such session shall be numbered consecutively in the order, as nearly as may be practicable, in which they become laws, each year having its own independent series of consecutive chapter numbers. Whenever a bill has been duly certified as having become a law and has been deposited with the laws in the office of the secretary of state, as provided by law, it shall be the duty of the secretary of state to designate such law by its appropriate chapter number, as hereinbefore provided, and to mark such designation upon such law; and thereafter, such law, whenever cited, enumerated, referred to or amended, may be designated simply as "Chapter of the Laws of," adding its chapter number and the year in which it became a law.

[(67-506) 1911, ch. 59, sec. 1, p. 159; reen. C.L., sec. 67a; C.S., sec. 109; I.C.A., sec. 65-506.]

67-507. PROPOSAL OF CONSTITUTIONAL AMENDMENTS. Amendments to the Constitution may be proposed by joint resolution in either house of the legislature of this state, and if the same shall be voted for by two-thirds (2/3) of all the members of each of the two (2) houses, voting separately, in the manner provided by section 1, of article 20, of the Constitution, the amendment or amendments proposed shall be submitted to the electors of this state for adoption or rejection in the manner provided by the election laws of the state.

[(67-507) 1890-1891, p. 229, sec. 1; reen. 1899, p. 162, sec. 1; am. R.C., sec. 68; reen. C.L., sec. 68; C.S., sec. 110; I.C.A., sec. 65-507.]

67-508. ENROLLMENT AND PRESERVATION OF CONSTITUTIONAL AMENDMENTS. Whenever any amendments to the Constitution shall have been proposed to and adopted by the electors of this state, as by this and the preceding section provided, the same shall be enrolled and numbered in the order of time in which they may be adopted, and preserved by the secretary of state among the public records of his office.

[(67-508) 1890-1891, p. 229, sec. 2; reen. 1899, p. 162, sec. 2; reen. R.C. & C.L., sec. 69; C.S., sec. 111; I.C.A., sec. 65-508.]

67-509. PUBLICATION OF LEGISLATIVE JOURNALS AND SESSION LAWS -- DISTRIBUTION AND REPORT. (1) On the first legislative day or as soon thereafter as the speaker shall have been elected, it shall be the duty of the president of the senate and the speaker of the house of representatives each to appoint

a printing committee for his body whose duties shall be, in addition to its duties prescribed by the rules of said bodies respectively, to immediately meet in joint session and to provide for the publication of the journals of the two (2) houses of the legislature. Said committee shall determine the form of the journals to be used, the size of the type, the number to be distributed to each member of the legislature and the method of distribution, the number of journals to be made available for sale through the secretary of state's office, and the manner in which the journals are to be bound for the permanent copies of the journal. All costs incurred in publishing the journals shall be a proper charge against the legislative fund, unless an appropriation for such purpose has been made.

(2) The joint printing committee of the senate and house of representatives shall exist to print, publish, and distribute the session laws. The joint printing committee will consist of the printing committees of each house. The chairmen of the respective judiciary and rules committees, or their designee, will chair their house's printing committee and cochair the joint printing committee.

(3) Prior to the final adjournment of a regular legislative session, the joint printing committee must meet and determine the proper method of printing and preserving the session laws of that legislative session. The joint printing committee must give consideration to the cost, accessibility, and preservation of the session laws. The joint printing committee will provide sufficient physical copies of session laws.

(4) The published session laws must include the bills, concurrent resolutions, joint resolutions, petitions and memorials enacted or adopted during the legislative session. In addition, the session laws must include amendments to the constitution adopted at the preceding general election, and bills, concurrent resolutions, joint resolutions, and memorials enacted or adopted during an intervening extraordinary session of the legislature. The published session laws must include a title page, a table of contents, certificate pages, tables of amended and repealed statutes, an index of contents, and a list of each member of the senate and house of representatives.

(5) Prior to the final adjournment of a regular legislative session, the printing committee of each house must meet jointly to consider the proper method to print and preserve the session laws. The joint printing committee will prepare a brief written report of its recommendations, which written report must be delivered to the judiciary and rules committees of the senate and the house of representatives. The written report must include the projected cost to implement its recommendation, together with a distribution list of persons that will be provided printed volume(s) of the session laws. If the written or amended report is rejected by the legislature by concurrent resolution, the joint printing committee will meet to reconsider its recommendations. If the written or amended report is not rejected, the joint printing committee will enter into an agreement(s) that is substantially consistent with its written or amended report to print, publish, and deliver the session laws, which costs will be paid from the legislative account.

[(67-509) 1907, p. 327, sec. 1; am. R.C., sec. 70; reen. C.L., sec. 70; C.S., sec. 112; am. 1921, ch. 5, sec. 1, p. 6; am. 1931, ch. 8, sec. 1, p. 12; I.C.A., sec. 65-509; am. 1935, ch. 43, sec. 3, p. 79; am. 1965, ch. 17, sec. 1, p. 29; am. 1971, ch. 19, sec. 1, p. 33; am. 1977, ch. 232, sec. 1, p. 687; am. 2018, ch. 236, sec. 3, p. 555.]

67-510. STATUTES AND RESOLUTIONS -- WHEN EFFECTIVE. No act shall take effect until July 1 of the year of the regular session or sixty (60) days from the end of the session at which the same shall have been passed, whichever date occurs last, except in case of emergency, which emergency shall be declared in the preamble or body of the law.

Every joint resolution, unless a different time is prescribed therein, takes effect from its passage.

[(67-510) R.S., sec.sec. 155, 156; compiled and reen. R.C., sec. 71; reen. C.L., sec. 71; C.S., sec. 113; I.C.A., sec. 65-510; am. 1972, ch. 176, sec. 1, p. 444.]

67-511. EFFECT OF AMENDMENT. Where a section or part of a statute is amended, it is not to be considered as having been repealed and reenacted in the amended form; but the portions which are not altered are to be considered as having been the law from the time when they were enacted and the new provisions are to be considered as having been enacted at the time of the amendment.

[(67-511) R.S., sec. 157; reen. R.C. & C.L., sec. 72; C.S., sec. 114; I.C.A., sec. 65-511.]

67-512. REPEAL OF REPEALING ACT. No act or part of an act, repealed by another act of the legislature, is revived by the repeal of the repealing act without express words reviving such repealed act or part of an act.

[(67-512) 1874, p. 858, sec. 1; am. R.S., sec. 158; reen. R.C. & C.L., sec. 73; C.S., sec. 115; I.C.A., sec. 65-512.]

67-513. REPEAL OF PENAL LAW. The repeal of any law creating a criminal offense does not constitute a bar to the prosecution and punishment of an act already committed in violation of the law so repealed, unless the intention to bar such prosecution and punishment is expressly declared in the repealing act.

[(67-513) 1874, p. 858, sec. 2; am. R.S., sec. 159; reen. R.C. & C.L., sec. 74; C.S., sec. 116; I.C.A., sec. 65-513; am. 1984, ch. 24, sec. 1, p. 45.]

67-514. TITLES TO BILLS. The title to each legislative bill shall contain a specific phrase which expresses the subject matter of the bill. Such phrase may be the short title of the act, and shall be used in legislative journals to identify the bill upon introduction, along with other identification required by rules of the House of Representatives or Senate.

[67-514, added I.C., sec. 67-514, as added by 1975, ch. 9, sec. 1, p. 14.]